

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**MAURICE WHALEN
TERRI MURRY WHALEN**

PLAINTIFFS

VS.

CIVIL ACTION NO.: 3:07cv00167DPJ-JCS

**ABBOTT, SIMSES & KUCHLER, GILSBAR,
RHEA HUDSON SHELDON, JOSEPH HENRY HART IV,
DARREN GUILLOT and JOHN DOES 1 – 10**

DEFENDANTS

**ORDER OF VOLUNTARY DISMISSAL OF SPECIFIC PARTIES AND CLAIM,
WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(2)**

THIS DAY THIS CAUSE came before the Court on Plaintiffs, Maurice Whalen, Sr. and Terri Murry Whalen, by their undersigned attorneys, having file their Motion for Voluntary Dismissal of Specific Parties and Claim Without Prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. The Court now finds that voluntary dismissal is appropriate under the Rule 41(a)(2).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that all claims against Defendants Darren Guillot and Joseph Henry Hart IV are hereby dismissed, all claims by Plaintiff Maurice Whalen Sr. are dismissed, and the claim loss of consortium brought by Plaintiff Terri Murry Whalen is likewise dismissed, all without prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

SO ORDERED this the 18th day of April, 2008.

/s/ James C. Sumner
Hon. James Sumner,
Magistrate Judge